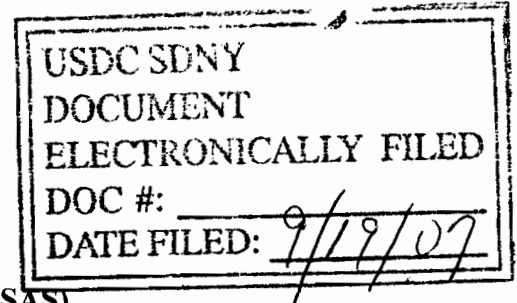


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
X-----X



07Civ. 6831 (SAS)

**SCHEDULING ORDER**

MAGDA M. ELMOBDY, individually, and  
as the personal representative of and on  
behalf of her minor children KARIM  
ELMOBDY, ISLAM ELMOBDY,  
MOHAMED ELMOBDY and SHERIF  
ELOMBDY; and as personal representative  
of and on behalf of the surviving parent  
HAMIDA MOHAMED; and as personal  
representative of and behalf of the dependent  
relative, NEAMAAT ATITTOY

Plaintiff,

- against -

LMS SHIP MANAGEMENT, INC., P&O  
NEDLLOYD BV, and WATERMAN  
STEAMSHIP CORP.,

Defendants.

X-----X

WHEREAS, the Court issued an Order for a Conference in accordance with Fed. R. Civ. P.  
16(b) on September 19, 2007 (the "Order"); and

WHEREAS, the Order requires that the parties jointly prepare and sign a proposed  
scheduling order containing certain information;

NOW, THEREFORE, the parties hereby submit the following information as required by  
the Order;

- (1) Conference date September 19, 2007.

Appearing for Plaintiff is

Elizabeth Blair Starkey  
and Lawrence Arcell  
Hofmann & Associates  
360 West 31<sup>st</sup> Street  
New York, NY 10001.

Appearing for Defendants LMS Shipmanagement, Inc. and Waterman Steamship Corporation is:

Gordon S. Arnott  
Hill, Betts & Nash LLP  
One World Financial Center  
200 Liberty Street, 26<sup>th</sup> Floor  
New York, NY 10281.

**(2) Legal and Factual Issues**

1. Did defendants negligently cause the death of Ramadan Elmobdy.
2. Was the decedent contributory negligent?
3. What damages, if any, does each claimant have?
4. What damages, if any is each claimant entitled to recover.
5. Was defendants' vessel unseaworthy due to inadequate medical treatment?
6. Was the unseaworthiness the cause of plaintiff's condition and damages?

**(3) The following depositions and schedules dates are contemplated:**

**a. Depositions**

1. Magda M. Elmobdy;
2. Hamida Mohamed
3. Neamaat Attioy.
4. Robert Owen
5. Edwin Sherrill
6. Oscar Dukes

7. Representative of defendants as to the protocol for medical treatment of crew members
8. Representative of defendants as to measures undertaken for plaintiff after diagnosis with illness
9. Experts as to medical causation and work life expectancy.
10. One or more doctors at Maritime Medical Access

Defendants reserve the right to depose all those on whose behalf the suit is brought. This is an Admiralty case with witnesses all located without the jurisdiction and when at work on vessels. Defendants expect difficulty scheduling depositions of the shipboard witnesses: Robert Owen, Edwin Sherrill, Oscar Dukes. The need for additional depositions may arise during discovery.

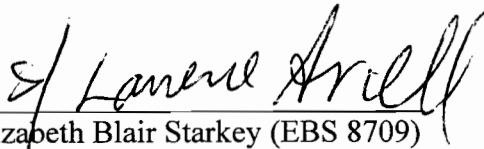
Depositions to commence December 1, 2007 and be completed by February 15, 2008.

- b. Initial disclosure to be served by September 28, 2007. Initial Document Requests to be served by September 28, 2007. Documents to be produced by November 30, 2007
  - c. Plaintiff's expert reports due March 18, 2008. Defendants expert reports due April 18, 2008 and experts to be deposed by May 16, 2008.
  - d. Discovery to be completed by May 16, 2008
  - e. Plaintiff to supply its pre-trial order part by June 24 2008 ~~and defendant submit its part by June 30, 2008~~
  - f. Pre-trial order to be filed by June 14 ~~July 15, 2008~~
  - g. A final Pre-trial conference will be held on May 12 at 4:30.
- (4) At this time the parties are not aware of any limitations to be placed on discovery.
  - (5) At this juncture there have been no discovery disputes
  - (6) Experts are expected in the medical field and in economics.
  - (7) At this time the anticipated length of trial is 5 days. Jury
  - (8) This Scheduling Order may be altered or amended only on a showing of good

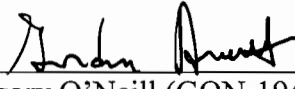
cause not foreseeable at the time of the conference or when justice so requires.

(9) Expert as to plaintiff's work life expectancy.


HOFMANN & ASSOCIATES

By:   
Elizabeth Blair Starkey (EBS 8709)  
Lawrence Arcell  
360 West 31<sup>st</sup> Street, Suite 1506  
New York, NY 10001  
(212) 465-8840

HILL, BETTS & NASH LLP

By:   
Gregory O'Neill (GON-1944)  
Gordon S. Arnott (GSA-8612)  
Elizabeth A. McCoy (EAM-8448)  
Attorneys for Defendants  
One World Financial Center  
200 Liberty Street, 26<sup>th</sup> Floor  
New York, New York 10281-1003  
(212) 839-7000  
(212) 466-0514 (fax)

SO ORDERED

  
SHIRA A. SCHEINDLIN  
U.S.D.J.